

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KATISHA CORRELL,	)	
On behalf of herself and all others	)	
Similarly situated,	)	
	)	
Plaintiff,	)	Civil Action No. 13-1610
	)	
v.	)	
	)	
ONE THREE FIVE, INC.,	)	
d/b/a BLUSH,	)	
Defendant.	)	

**ORDER SETTING INITIAL SCHEDULING CONFERENCE (CLASS AND  
COLLECTIVE ACTION)**

The following deadlines are set for the above-captioned matter:

**1. Initial Scheduling Conference**

Consistent with Local Rule 23.C, an Initial Scheduling Conference is scheduled for Tuesday, February 18, 2014 at 2:00 P.M. in Suite 8170, Eighth Floor, U.S. Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. The parties should be prepared to discuss settlement.

**2. Rule 26(f) Conference**

Pursuant to Federal Rule of Civil Procedure 26(f), the parties must confer to consider the nature and basis of their claims and defenses, proposed deadlines, the nature and scope of discovery and the possibilities for a prompt settlement or resolution of the case. The parties also must arrange for timing for the exchange of the initial disclosures required under Federal Rule 26(a)(1) and Local Rule 23.B.

### **3. Rule 26(f) Report**

At least seven (7) days prior to Initial Scheduling Conference, the parties shall confer and file a “Joint Report of the Parties and Proposed Scheduling and Discovery Order -- Class Action” setting forth their respective positions on the timing and scope of class certification discovery, the filing of a motion for class certification, and the appointment of class counsel. The written report shall be in the form set forth in the Local Rules at Appendix LCvR 23.E. To the extent appropriate, the parties are encouraged to stipulate to any facts regarding the approximate size and definition of the class, the qualifications of proposed class counsel, and any other matters relevant to the findings to be made by the Court under Fed.R.Civ.P. 23.

### **4. Alternative Dispute Resolution**

At least seven (7) days prior to Initial Scheduling Conference, the parties shall confer and file with the Court “the Stipulation Selecting ADR Process” form that is on the Court’s Website under ADR Program Information: ([http://www.pawd.uscourts.gov/Applications/pawd\\_adr/Pages/ADRInfo.cfm](http://www.pawd.uscourts.gov/Applications/pawd_adr/Pages/ADRInfo.cfm)).

### **5. Settlement**

Counsel must meet and confer regarding settlement consistent with Rule 26(f)(2). At least three (3) business days prior to the Initial Rule 23.C Scheduling Conference, counsel for every party shall submit a position letter to this Court. The position letter shall set forth the following: (a) A brief recitation of the facts; (b) A discussion of your party’s strengths and weaknesses; and (c) Your party’s settlement posture. To ensure candor, the position letters are not to be filed nor shared with opposing counsel, but rather faxed directly to this Court’s Chambers at (412) 208-7387. All position letters will be kept **confidential**. Parties with settlement authority, including insurance carriers, **must** be available by telephone.

**6. Practices and Procedures**

Counsel must familiarize themselves with the Practices and Procedures of the undersigned on the Court's website ([http://www.pawd.uscourts.gov/Documents/Judge/Cohill\\_pp.pdf](http://www.pawd.uscourts.gov/Documents/Judge/Cohill_pp.pdf)), and they will be held responsible for complying with such practices and procedures.

January 24, 2014

s/Maurice B. Cohill, Jr.  
Maurice B. Cohill, Jr.  
Senior United States District Judge